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Attorneys for Plaintiff Chassin Holdings Corporation

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

This stipulation (“Stipulation”) is made by and between plaintiff Chassin Holdings Corporation (“Plaintiff”) and defendants Formula VC Fund I GP, L.P. (“Formula GP”), Formula VC Ltd., and

1 Renata Akhunova (“Defendants,” and collectively with Plaintiff, the “Parties”), and is based on the
2 following facts:

3

4 **RECITALS**

5

6 A. On August 14, 2015, the Court entered its Case Management Order in the record of the
7 above-captioned action and vacated the initial Case Management Conference that had been scheduled
8 for August 20, 2015.

9

10 B. As part of the Case Management Order, the Court established November 2, 2015 as the
11 deadline for the Parties to seek leave to amend their pleadings (the “Leave Deadline”). The Court also
12 referred the Parties to mediation.

13

14 C. Plaintiff filed its Complaint on May 21, 2015. Defendants filed their Answer on August
15 18, 2015. Defendants filed their First Amended Answer and Counterclaim by Formula GP on
16 September 8, 2015.

17

18 D. On August 25, 2015, Plaintiff served by mail its First Set of Interrogatories and its First
19 Set of Requests for Production of Documents on all Defendants (“Plaintiff’s Discovery”). The deadline
20 for Defendants to respond to Plaintiff’s Discovery is September 28, 2015 (thirty days plus three days for
21 service by mail).

22

23 E. Defendants intend to propound discovery to Plaintiff.

24

25 F. On September 16, 2015, Defendants requested of Plaintiff a stipulated extension of two
26 weeks, until October 12, 2015, for Defendants to respond to Plaintiff’s Discovery, without prejudice to
27 their right to request a further extension.

1 G. On September 17, 2015, the Parties had a telephone conference with the Court-appointed
2 mediator and set a mediation date of November 5, 2015. This mediation date is within 90-days of the
3 August 14, 2015 Case Management Order, as required ADR L.R.'s 3-6 and 6-4(b).

4

5 H. On September 17, 2015, counsel for Plaintiff agreed to stipulate to the extension, without
6 prejudice to its right to oppose any future requests for extension, but Plaintiff requested an additional
7 stipulation that the deadline to seek leave to amend the pleadings be extended until December 2, 2015.

8

9 I. The Parties submit that good cause exists for the extension of the Leave Deadline so that
10 they (i) have adequate time to review discovery responses and conduct depositions so as to inform any
11 decision to seek leave to amend the pleadings and (ii) can mediate the dispute in good faith. The Parties
12 do not believe that this extension will impact any of the other deadlines set forth in the Case
13 Management Order, including the discovery cutoff date of January 26, 2016 or the trial date of August
14 15, 2016.

15

16 ACCORDINGLY, SUBJECT TO THE COURT'S APPROVAL OF THIS STIPULATION,
17 THE PARTIES HEREBY STIPULATE AS FOLLOWS:

18

19 1. Each of the Recitals set forth herein is true and correct.

20

21 2. The deadline for Defendants to Respond to Plaintiff's Discovery shall be extended until
22 October 12, 2015. The Parties stipulate to this extension without prejudice to their rights to seek or
23 oppose further extension of the response deadline.

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1 3. The deadline for the Parties to file any motions seeking leave to amend the pleadings
2 shall be extended until December 2, 2015.
3

4 Dated: September 17, 2015

GREENBERG, WHITCOMBE, TAKEUCHI,
GIBSON & GRAYVER LLP

5
6 By: /s/ Michael J. Weinberger
7 Michael J. Weinberger
8 Attorneys for Defendants Formula VC Ltd.,
 Formula VC Fund I GP, L.P., Renata Akhunova
9

10 Dated: September 17, 2015

WHITE & CASE LLP

11
12 By: /s/ Roberto J. Kampfner
13 Roberto J. Kampfner
 Attorneys for Plaintiff Chassin Holdings Corporation
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15 Pursuant to Civil L.R. 5-1(i)(3), I, Michael J. Weinberger, attest that Roberto J. Kampfner
16 authorized me to electronically sign his name and file the Stipulation (with attached Declaration of
17 Michael J. Weinberger and [Proposed] Order) via email received at 7:00 p.m. on September 17, 2015.
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19

20 By: /s/ Michael J. Weinberger
21 Michael J. Weinberger
 Attorneys for Defendants Formula VC Ltd.,
 Formula VC Fund I GP, L.P., Renata Akhunova
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DECLARATION OF MICHAEL J. WEINBERGER

I, MICHAEL J. WEINBERGER, declare as follows:

1. I am an attorney licensed to practice before all Courts of the State of California and have been admitted to practice before the United States District Court for the Northern District of California. I am employed by Greenberg, Whitcombe, Takeuchi, Gibson & Grayver, LLP, counsel of record for Defendants Formula VC Fund I GP, L.P., Formula VC Ltd., and Renata Akhunova (the "Defendants"). I am one of the attorneys representing the Defendants in this action. I have personal knowledge of the following facts, and if called to testify, I could and would competently testify thereto.

2. I submit this declaration pursuant to Civil L.R. 6-2(a) and in support of the Stipulation regarding Extension of Deadlines for (1) Defendants to Respond to Discovery Propounded by Plaintiff and (2) Parties to Seek Leave to Amend their Pleadings (“Stipulation”).

3. As part of its Case Management Order, the Court established November 2, 2015 as the deadline for the parties to seek leave to amend their pleadings (the “Leave Deadline”).

4. Defendants, through their counsel, received plaintiff Chassin Holdings Corp.’s (“Plaintiff’s”) First Set of Interrogatories and its First Set of Requests for Production of Documents (“Plaintiff’s Discovery”), which purport to have been served by mail on August 25, 2015. The deadline for Defendants to respond to Plaintiff’s Discovery is September 28, 2015 (thirty days plus three days for service by mail).

5. Defendants have determined that they need additional time to respond. As such, I requested from counsel for Plaintiff two additional weeks to respond to Plaintiff's Discovery, so that it would be due by October 12, 2015. Plaintiff agreed to stipulate to the extra time but correspondingly requested that Defendants stipulate to an extension of the Leave Deadline from November 2, 2015 until

1 December 2, 2015.
2

3 6. This extension of the Leave Deadline will give the parties an opportunity to review
4 discovery responses, the earliest of which will be due by October 12, 2015 pursuant to the foregoing
5 Stipulation, conduct depositions, and decide whether and how the pleadings should be amended, if at all.
6 This extension will also give the parties an opportunity to mediate the dispute with the Court-appointed
7 mediator. The mediation is currently set for November 5, 2015, as set forth in the foregoing Stipulation.
8

9 7. The parties have not previously stipulated or requested, nor has the Court ordered, any
10 other modifications to the deadlines set forth in the Case Management Order.
11

12 8. I do not believe that the requested deadline extensions should have any impact on the
13 schedule for the case as set forth in the Case Management Order. Specifically, discovery is not set to
14 close until January 26, 2016 and trial is set for August 15, 2016. The parties are not hereby seeking any
15 change to those dates.
16

17 I declare under penalty of perjury under the laws of the State of California that the foregoing is
18 true and correct. Executed this 17th day of September, 2015, in Torrance, California.
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20 _____
21 /s/ Michael J. Weinberger
22 Michael J. Weinberger
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1 **[PROPOSED] ORDER**
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3 The Court, having reviewed the foregoing Stipulation and Declaration of Michael J. Weinberger,
4 and good cause appearing therefore and pursuant to Civ. L.R. 6-2 and Fed. R. Civ. P. 29, hereby orders
5 that:

6 1. The Stipulation is approved.

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8 2. The deadline for Defendants to Respond to Plaintiff's Discovery¹ shall be extended until
9 October 12, 2015, without prejudice to any Parties to request additional time or oppose such request.

10
11 3. The deadline for the Parties to file any motions seeking leave to amend the pleadings
12 shall be extended until December 2, 2015.

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14 IT IS SO ORDERED.

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16 Dated: September 21, 2015

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THE HONORABLE MARIA-ELENA JAMES
United States Magistrate Judge



¹ The defined terms in this Order shall have the same meanings ascribed to them as set forth in the foregoing Stipulation.